

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

VERONICA SANCHEZ, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:13-cv-032985

C. R. BARD, INC.,

Defendant.

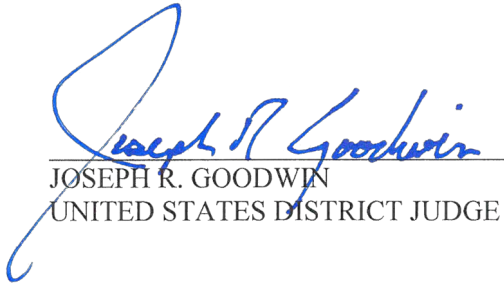
MEMORANDUM OPINION AND ORDER

Pending is Defendant C. R. Bard, Inc.'s Motion to Dismiss for Insufficient Service of Process, filed December 20, 2018. [ECF No. 13]. Defendant asserts that in addition to the failure to serve, plaintiff has not complied with various discovery obligations, making dismissal with prejudice appropriate. Plaintiff has not responded to the motion.

For reasons appearing to the court, the court finds that plaintiff's case should be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure for failure to timely serve the defendant. The court **ORDERS** that the Defendant C. R. Bard, Inc.'s Motion to Dismiss for Insufficient Service of Process [ECF No. 13] is **GRANTED** to the extent defendant seeks dismissal for failure to serve and is otherwise **DENIED**. The court **ORDERS** that this case is dismissed without prejudice and stricken from the court's docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: March 26, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE